

FILED UNDER SEAL

EXHIBIT 2.3

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

THE TRUSTEES OF
PURDUE UNIVERSITY,

Plaintiff,

v.

STMICROELECTRONICS, INC., and
STMICROELECTRONICS
INTERNATIONAL N.V.

Defendants.

Civil Action No. 6:21-cv-00727-ADA

JURY TRIAL DEMANDED

PLAINTIFF'S OBJECTIONS TO DEFENDANTS' WITNESS LIST

Pursuant to the Second Amended Scheduling Order (Dkt. 241), and consistent with the Local Rules and this Court's Standing Order on Pre-Trial Procedures and Requirements in Civil Cases, Plaintiff The Trustees of Purdue University ("Plaintiff" or "Purdue") hereby submits its objections to Defendants STMicroelectronics, Inc., and STMicroelectronics International N.V.'s ("ST") proposed trial witness list.

Purdue objects under FRE 402 and 403 to ST's designation of Purdue's lead trial counsel, Michael W. Shore, as a witness that ST intends to present live at trial. Subjecting Mr. Shore to oral examination is highly prejudicial to Purdue and would create a perceived conflict between Purdue and its counsel of choice. Given that ST's inclusion of Purdue's lead-counsel on its witness list is based solely on licensing materials that were disclosed months ago, as detailed in ST's Motion to Disqualify Mr. Shore (Dkt. 395), that ST deliberately ignored and did not take any additional discovery on, including failing to depose any of the licensed third parties, this can only be viewed as an attempt to harass Purdue and its counsel.

Purdue also objects to ST calling Dr. Asmita Saha live, as she is currently unavailable and will not be returning to the U.S. before the end of the year. Because ST has already deposed Dr. Saha in this case, and because Purdue does not intend to (and will not) call Dr. Saha live, there is no need to further burden her with live testimony at trial.

Purdue objects to Tammy Metzinger, Rino Peruzzi, Angelo Castorina, Ken Sandel, and Ginger Turner as persons not identified by ST, Inc. or ST Int'l in their Rule 26 disclosures as persons with knowledge of relevant facts. Such persons may not be called by ST unless first called by Purdue. Fed. R. Civ. P. 37.

Purdue further objects to Steve Schultz, Tammy Metzinger, Ken Sandel, and Glen Kellett as lacking any knowledge relevant to the issues before the jury.

Witness Name	Will Call	May Call	Live	By Deposition	Objections
Michael Shore	X		X		FRE 402, 403
Dr. Asmita Saha	X		X	X	FRE 402, 403, FRCP 32(a)(4)(B)
Steven Schultz	X		X	X	FRE 402, 403
Tammy Metzinger		X		X	FRE 402, 403, FRCP 26(a), 37
Ken Sandel		X		X	FRE 402, 403
Glen Kellett	X			X	FRE 402, 403 (Bench issue)
Rino Peruzzi		X	X		FRCP 26(a), 37
Angelo Castorina		X	X		FRCP 26(a), 37
Ken Sandel		X		X	FRCP 26(a), 37
Ginger Turner	X		X	X	FRCP 26(a), 37

Respectfully submitted,

/s/ Halima Shukri Ndai

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***COUNSEL FOR PLAINTIFF
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CERTIFICATE OF SERVICE

I hereby certify that on September 1, 2023, the foregoing was served via electronic mail upon all counsel of record for the parties.

/s/ Halima Shukri Ndai

Halima Shukri Ndai